The Trial of Capt. Brown.

CHARLESTOWN, Va., Thursday, Oct. 27, 1859. The storm and interruption of telegraphic operations prevented the getting of the latter portion of the

report through yesterday.

The Court refused to postpone the trial, and the whole afternoon was occupied in obtaining a Jary for the trial of Brown, who was brought into Court on a cot.

AFTERNOON SESSION 2 o'clock. The Jailor was ordered to bring Brown into Court-He found him in bed, from which he declared himself anable to rise. He was accordingly brought into Court on a cot, which was set down within the bar. The prisoner laid most of the time with his eyes closed, and the counterpane drawn up close to his chin. He is evidently not much injured, but is determined to resist the pushing of his trial, by all the means in his power. The Jury were then called and sworn. The jurous were questioned as to having formed or expressed any opicion that would prevent their deciding the case impartially on the merits of the testimony. The Court excluded those who were present at Harper's Ferry during the insurrection and saw the prisoners perpetrating the act for which they are about to be tried. They were all from distant parts of the country, mostly farmers some of them owning a few slaves, and others none. The examination was continged until 24 were decided by the Court and course to be competent jurors. Out of these 24, the counse for the prisoner has a right to strike off eight, and then twelve are drawn by ballot out of the remaining sixteen. The following were the questions put to the

Were you at Harper's Ferry on Monday or Tues day?

How long did you remain there ?

Did you witness any of the proceedings for which this party is to be tried? Did you form or express any opinion from what you

saw there with regard to the guilt or innecence of these prople? Would that opinion disqualify you from giving

those men a fair trial? Did you hear any of the evidence in this case before

the Examining Court? What was your opinion based on?

Was it a decided one, or was it one which would yield to evidence, if the evidence was different from what you supposed? Are you sure that you can try this case impartially

from the evidence alone, without reference to any thing you have heard or seen of this transaction ? Have you any conscientious scruples against convicting a party of an offense to which the law assigns the punishment of death, merely because that is the penalty assigned?

The following were finally fixed upon as the twelve Jurora: RICHARRD TIMBERLAKE,

JOSEPH MYEES,
THOMAS WATSON, JE.,
ISAAC DUST.
JOHN C MCCLURE,
WILLIAM RIGHTSDALE, THOMAS OSBORNE, GEORGE W. BOYER, JOHN C. WILTSHIRE, GEORGE W. TAFP, WILLIAM A. MARTIN,

The Jury were not sworn on the case, but the Judge charged them not to converse upon the case or to per mit others to converse with them. They were dismissed at five o'clock, and the prisoner was then carried over to the jail on his cot, and the Court adjourned till morning.

John Copeland, the mulatto prisoner from Oberlin Ohio, has made a full confession to United States Mar shals Martin of Virginia, and Johnson of the Northern District of Ohio. He has given the names of the parties at Oberlin who induced him to go Harper's Ferry, who furnished the money for his expenses, &c. He also states that a movement was contemplated in Kentucky at about the same time. Many persons in Northern Ohio, whose names have not been heretofore mentioned, are directly implicated. His confession is withheld from the public until the trial is over by order of Gov. Wise.

I was shown to-day, by Mr. Johnson, Marshal of the Northern District of Ohio, a large number of im portant letters implicating Gerrit Smith and a number of prominent men of Oberlin, Clevelend, and other points in Ohio. Among these letters is also the follewing:

TRIBUNE OFFICE, April 30, 1859. Mr. J. H. Kagt Sir: Yours is received, and we Inclose cur check for forly five dollars, for seven letter from Kansas and two from Obio.

Yours &c., HORACE GREELEY & Co.

Kagi, one of the killed, was formerly a correspon dent of THE TRIBUNE, and the letter is doubtless

inclosing his pay.

Among them is a letter to Capt. Brown to one of his sons, dated April 16, 1859, detailing a visit to Gerrit Smith at Peterboro, which he regarded as highly encouraging. It says that Smith gave him \$180; that he also, at his house, received a note that he considered good for \$200 more, and that Smith had written to his friends in the East, saying that tw thousand dollars must be raised for Brown, of which he himself would agree to furnish one fifth. There is also notice of a draft from the Cashier of the New-York State Bank for \$100 sent him by direction of Gerrit Smith. This is dated, "Albany, August 29,

Marshal Johnson desired to furnish me this mass of correspondence: but Mr. Hunter, by direction of Gov. Wise, objects to its publication at present. It contains a list of officers of the Provisional Government, and a list of contributors to the project Marshal Johnson left for Cleveland this evening, taking copies with him, and you may look for it in that direction.

The examination made here to-day by the United States Marshal settles the fact that this movement had long been maturing, that many prominent men i the Northern States have given money and influence in its behalf, and that when the facts are made public an unparalleled sensation may be expected.

SECOND DAY.

CHARLESTOWN, Thursday, Oat. 27, 1859. Brown was brought in walking, and laid down on his cot at full length within the bar. He looked considerably better, the swelling having left his eyes. Senator Mason was present.

Messrs, HARDING and HUNTER again appeared for the Commonwealth, and Messra, Botts and GREEN for the prisoner.

Mr. Borrs read the following dispatch, which was received this morning:

"To C. J. FAULENER, and LAWSON BOTTS:
"John Brown, leader of the insurrection at Harper;
Fery, and several of his family have resided in this county many years. Insanity have resided in this family. His mother's sizer died with it, and a daughter of that sizter has been two years in the Lunstic Asylum. A son and daughter of his nother's handle handle. lum. A son and daughter of his mother's brother have also been confined in the the Lunatic Asylum, and another son of that brother is now insane and under close restraint. These facts can be conclusily proven by witnesses residing here, who will doubtless attend the trial if desired. A. H. Lewis "

William C. Allen, telegraphic operator at the Ak ron office, adds to the above dispatch that A. H. Lewis is a resident of that place, and his statements are entitled to implicit credit.

Mr. Borrs said that on receiving the above dispatel he went to the jail with his associate, Mr. Green, and read it to Brown, and is desired by the latter to say that in his father's family there has never been any insanity at all. On his mother's side there have been repeated instances of it. He adds that his first wife showed symptoms of it, which were also evident

in his first and second sons by that wife.

Some portions of the statements in the dispatch he knows to be correct, and of other portions he is igperant. He does not know whether his mother's sis ter died in the Lunatic Apylum, but he does be lieve that a daughter of that sister has been two years in the Asylum. He also believes that a son and daughter of his mother's brother have been confined in an asylum; but he is not apprized of the fact that another son of that brother is now insane and in close confinement.

Brown also desires his counsel to say that he does not put in the plea of insanity, and if he has been at all insane he is totally unconscious of it, yet he adds

that those who are most insane generally suppose that they have more reason and sanity than those around there. For bimself he diedains to put in that ples, and seeks ro immunity of the kind.

This movement is made totally without his appr bation or concurrence, and was unknown to him, till the receipt of the dispatch above.

Brown then raised himself up in bed, and said: " I will add, if the Court will allow me, that I look upon it as a miserable artifice and pretext of those who ought to take a different course in regard to me, if they took any at all, and I view it with contemp more than otherwise As I remarked to Mr. Green insane persons, so far as my experience goes, have but little ability to judge of their own sanity; and, if I am insane, of course I should think I know more than all the rest of the world. But I do not think so. I am perfectly unconscious of insanity, and I reject, so far as I am capable, any attempt to interfere in my

hehalf on that score. Mr. Borrs stated that he was further instructed by Mr. Brown to say that, rejecting this plea entirely and seeking no delay for that reason, he does repeat to the Court his request made vesterday, that time be given for the foreign counsel to arrive that he has now reason to expect.

Yesterday afternoon a dispatch was received from Cleveland, Ohio, signed "Dan. Tilden," dated Oct. 26, asking Brown whether it would be of use for counsel to leave last night. To this dispatch asswer wa returned that the Jury would be sworn this morning, and that Brown desired the counsel to come at once.

The telegraphic operator here stated that this dis patch would be sent off at once, in advance of the dispatches sent by reporters, and he had learned this morning that it was sent before the storm of last night interrupted communication, and that counsel might reach here by 12 or 1 o'clock to-night.

The course taken by Brown this morning makes it evident that he sought no postponement for the mere purpose of delay, as he rejects the plea of insanity. Still, in his opinion, he could have a fairer trial if the defense were conducted by his own counsel than if he were defended by the counsel at present here. Mr. HUNTER observed that the prisoner's counse

having renewed the motion of yesterday for delay for

a specific period, indicated and based upon informs tion received in the form of the telegraph, the ques tion now was whether there was sufficient grounds in this additional information to change the decision an named by the Court yesterday on the same motion.

If the Court did not at once deem this circumstance wholly insufficient, before the decision was made the counsel for the Commonwealth deemed it his duty to wholly insufficient, before the decision was made the counsel for the Commonwealth deemed it his duty to call attention to two or three matters connected with the affair. Though desirous to avoid forestalling the trial of this case, in regard to the present prisoner at the bar, they were prepared to prove that he had made open, repeated and constant acknowledgment of everything charged against him. He had gloried in it, and we have but an exhibition of the same spirit and the same purpose in his announcement that he would permit no defense of insanity to be put in. What does he mean by wishing delay for the purpose of having a fair trial? In a proper sense, and in the only sense in which it can be regarded by the Court, it is a fair trial according to the laws of Virginis, and the safeguards against wronging the prisoner which these laws throw around him. If the prisoner's idea of a fair trial is to have it so shaped as to produce a fairners in his conception, cutside of what the laws recognize, it becomes the duty of the counsel for the Commonweath, and, as he apprehended, of the Court, to resist any attempt of that kind. Considering the surrounding circumstances, to which it was unnecessry to particularly advert, there could be no right to claim delay, except so far as the prisoner could show in a reliable form that such delay was necessary to objustice in his navignor as a coording to the laws and policy in his particularly case, according to the laws and policy in his particularly case. reliable form that such delay was necessary to do justice in his particular case, according to the laws and policy of the State of Virginia. In regard to the telegram rend, we know not who this Mr. Lewis is. We know not whether he is to come here as counsel for the prisoner, or whether he wants to head a band of desperadors. We have a right to believe the latter as well as doer. We have a right to believe the lattar as well as the former. There had been time enough since the letter for Northern counsel was mailed last Saturday, for it to reach him, and for him to arrive here ere this, if he had designed coming. It was fairly inferable that he did not intend to come, and the telegraph did not say he would come. But might it set be an attempt to gain time and learn the latest day when a rescue could be attempted? While commending the earnestness and zesl of the prisoner's counsel, he must ask the Court to reject the motion, and proceed with the trial

Mr. Harring would be reluctant to withhold from a prisoner charged with a crime of the greatest enormity, as in the present case, anything calculated to afford him the amplest opportunity of justice; but he had able and intelligent counsel assigned him, who would see and intelligent counsel assigned min, who would see that he was fairly and impartially tried, and he there-fore fully concurred with the remarks of his colleague in opposing the motion. He referred also to the fact that Brown pretended yesterday afternoon that he was unat Brown pretended yesterday afternoon that he was unable to walk, and was brought into Court on a bed yet he wasked back to jail after the close of the tria without difficulty. He thought those were mere pre-tenses for delay, which the Court should overrule.

Mr Green remarked that one day's delay would be sufficient to ascertain whether the expected counsel would come or not, and no prejudice could result to the Commonwealth from a small delay of that character. In reference to the new matter brought to the consideration of the Court, he did not believe the prisoner be convicted. All the acknowledgments, so far as he knew their character, referred to the treason, and those knew their character, referred to the treason, and those confersions, according to our law, are insufficient to convict a party who may have acknowledged the fact in the plainest manner to one hundred witnesserfor if that is all the evidence upon which the Commonwealth relies, the prisoner cannot be convicted, because our code provides that such confession shall be made in open court, and the prisoner has denied in open court, by putting in a plea of not guilty. As to sufficient time having elapsed for counsel to reach here, it was a reasonable supposition that the persons to whom Brown wrote were absent, and did not immediately receive the letter. The Commonwealth attorney does not know who Lowis is, but he is an ex-member of Congress, and said to be a man of respectability. ber of Congress, and said to be a man of respectability.

As to what is called Brown's sham sickness of yester
day, it should be remembered that it was not then nor is it now, made the ground of application for delay. He did not think this trial should be hurried through, for the reason that a rescue might be apprehended, for

for the reason that a rescue might be apprehended, for such fears were idle.

The Court stated that he must see, in this case as in any other, that a proper cause for a delay was made out before granting such an application. In the present case he could not see that the telegram gave any as-surance that the additional coursel intended to come. The prisoner is now defended by coursel, who will take care that no improper evidence is adduced against him, and that all proper evidence is an interest against him, and that all proper evidence in his behalf shall be presented. He could not see that a proper cause for delay was made out. The expected counsel might arrive before the case was closed, and could then see all the testimony which had been taken, and thus the prisener might have the benefit of their savice although prisoner might have the benefit of their advice although the case now proceeds. As to the matter of insanity, it was not presented in a reliable form; instead of mere statements, we should have affidavits, or something of that character. He thought, therefore, that the Jury should be sworn and the trial proceed.

The Jury having been sworn to fairly and impartially fitry the prisoner, the Court directed that the prisoner might forego the form of standing while arrained, if he desired it.

raigned, if he desired it.

Mr. Borrs put the inquiry to the prisoner, and he continued to lie prostrate on his cot while the long indictment, filling seven pages, was read.

Minder. Minder.

Mr. Hardiko addressed the Jury. He presented the facts of the case, detailing the scenes of the Armory, the killing of the bridge-keeper, and the subsequent hilling of the crizens named in the indictment; the seizore of Lewis Washington and Mr. Alistadt, with their slaves; of the cirizens named in the indictment; the servaire of Lewis Washington and Mr. Allstadt, with their slaves; the forming of a government within the limits of the Commonwealth; the holding of the citizens as prisoners of war, and the subsequent capture. He read the law on treason, levying war against the State, giving confort to its enemies, or establishing any other government within its limits, punishable with ceath; the law against advising with a slave, punishable with death; and the law on the munder of citizens, punishable with death. All these charges would be distinctly proven, beyond the possibility of a doubt on the minds of the Jury. He would show that the prisoner's whole object was to robe our citizens of their slaves, and carry them off by violence, and he was happy to say against the wills of the slaves, all of these having encaped, and rashed back to their masters at the first opportunity. He concluded by urging the Jury to cast acide all prejudices, and give the prisoners a fair and unpartial triat; and not to allow their haired of Abolitionists to influence them sgainst those who have raised the black flag on the soil of this Commonwealth.

Mr. Graken, on the part of the prisoner, after giving

oil of this Commonwealth.
Mr. Green, on the part of the prisoner, after giving bear in mird that they are judges of the last and the facts, and that if they have any doubt as to law, or the fact of the guilt of this prisoner, they are to give the prisoner the benefit of that doubt. On the first charge

of treasen, as a specific act of treason must be proven, it must be proven that he attempted to establish a separate and distinct government, and it must also be proven what was purposed of treasonable acts before you can convict him on those charges. If it is inteaded to rely on his confessions to prove treason the law distinctly says, "no conviction can be made on confessions, unless made in open Court." There must be sufficient evidence to prove the charge, independent of any confessions cut of the Court, and it requires two distinct witnesses to prove each and every act of treason.

Second : Conspiring with slaves to rebel and make insurrection. The Jury must be satisfied that such conspiracy was done within the State of Virginia, and within the jurisdiction of this Court. If it was done in Maryland, this Court could not punish the act. If it was done in was done within the limits of the Armory at Harper's Ferry, it was not done within the limits of this State, the Government of the United States holding exclusive the Government of the United States hooding excutave jurisdiction within the said grounds. Attorney General Cushing had decided this point with regard to the Armory grounds at Harper's Ferry, which opinion was read to the Jury, showing that persons residing within the limits of the Armory cannot even be taxed by Virginia, and that crimes committed within said limits are punishable by the Federal Courts. Although the Jury was deather than the laws on this arbitage, they must may doubt about the law on this subject they mus give the prisoners the benefit of that doubt upon the tria'. Over murder, if committed within the limits of the Armory, this Court has no jurisdiction, and in the case of Mr. Beckham, if he was killed on the railroad bridge, it was committed within the State of Maryland, which State claims jurisdiction up to the Armory grounds. Although he may be guilty of mur-der, it must be proven that it was deliberate and pre-meditated murder to make it a capital offense; if otherwise, the killing was murder in the second degree, punishable with imprisonment. If you have any deubt on these points you must give that doubt to the prisoners. He was satisfied the Jury will not allow any

denot on these points you must give that adout to the prisoners. He was satisfied the Jury will not allow any outside excitement to affect them, and that they will do their duty faithfully and impartially.

Mr. Borns impressively addressed the Jury. The case was an unusual one, and the crime charged in many respects unknown. The Jury trial called for a calm, unimpassioned deliberation, and not the seizure upon loose statements for a conviction. The Jury must be above all prejudices and indiances, and deliberate calmly, and free of all reseatment, bearing in mind that the mission of the law is not to wreak vergeance, and that the majesty of the law is best maintained when Judges, Counsel and Jury rise above these influences. The burden of proof is on the Commonwealth, and if she fails to substantiate her charges, you are bound to do your duty simpartially, and find your verdict on the law and testimony that the Commonwealth may be able to present to you. He then proceeded to go over the same grounds taken by Mr. Green on each of the three points of the indictment—treasor, insurrection, and murder. It is no difference have much a fury may be convinced in their ment-treasor, insurrection, and murder. It is no dif-ference bow much a Jury may be convinced in their own minds of the guilt of the prisoner, it is essential that they must have proof of positive guilt in a case like this, involving both life and liberty.

Mr. Porrs, in reviewing the law bearing on the case.

evinced a determination to avail himself of every advantage that the law allows, and to do his duty to the prisoner earnestly and faithfully. It was due to the prisoner to state that he believed himself to be actuated by the highest and noblest feelings that ever coursed through a human breast, and that his instructions were the course of the course through a numan breest, and that his instructions were to destroy neither property nor life. They would prove by those gentiemen who were prisoners that they were treated with respect, and that they were kept in positions of safety, and that no violence was offered to them. These facts must be taken into consideration, and have their due weight with the Jury.

Mr. Hunner followed, stating his purpose to avoid the same of severant or explanation not important.

anything by way of argument or explanation not im-mediately connected with the particular issue to be tried, and to march straight forward to the attainment,

so far as may be in our power, of the ends of justice, by either convicting or acquitting the prisoner at the bar. With a single preliminary remark explanatory of his position here as assistant, a position which ha his position here as assistant, a position which had been assigned to him by the Governor of the Commonwealth, as well as his boport the Judge, he passed at once to a review of what was the law in reference to the case, and what he expected to be able to prove to the satisfaction of the Jury. First, as to high breason, this was probably the first case of high treason, or treason against the State, that ever had been tried here by our State Courts, and he fervently hoped that it would be the last that would ever occur; and probably in some degree not only upon our decision, but upon our prompt decision of this case, will that result depend. He thought his friends on the other sids were totally mistaken in their view that the law as it now stands on our statute books in reference to overt acts was, either in language, or substantially, that contaken in their view that the law as it now stands on our statute books in reference to overt acts was, either in language, or substantially, that contained in the Constitution of the United States. On the centrary, the phraseology had been varied from that of the Conslitution, and, as he enceived, for a plain and palpable purpose. All the powers vested in the Federal Government were given with great jealousy. This was an historical fact, perfectly familiar, and consequently, while treason against the United States consisted only in levying war against them or adhering to their enemies and giving them aid and comfort, there is no provision that no person shall be convicted of treason unless upon the testimony of two witnesses of some overt act or confession in open Couri. Yet the State law is more full, and includes within its limits, separate from the axisting Government, within its limits, separate from the axisting Government, or the holding or executing, under each Government, or any office; professing allegiance or fidelity to it, or resisting the execution of law, under the color of its authority; and it goes on to declare that such treason, if proved by the testimony of two witnesses to the same overt act, or by confession in Court, shall be punished with death. Any one of these acts constitutes treason against this Common wealth, and he believed that the prisoner had been guilty of each and all these acts, which would be proved in the clearest manner, not by two, but by a dozen witnesses unless huited by the lack of time. The prisoner had attempted to break down the existing Government of the Comlimited by the lack of time. The prisoner had attempted to break down the existing Government of the Commonwealth, and establish on its ruins a new government; he had usurped the office of commanderinchief of this new government, and, together with his whole band, professed allegiance and fidelity to it: he represented not only the civil authorities of state, but our own military; he is doubly, trebly and quadruply guilty of treason. Mr. Hunter proceeded again to she question of jurisdiction over the Armory grounds, and examined the authority cited on the other side, of Attorney General Cushing; the latter was an able man, but he came from a region of country where opinions examined the authority cited on the other such, of torrey-Gereral Cushing; the latter was an able man, but he came from a region of country where opinions are very different from ours in relation to the power of the Federal Government as affecting State rights. Our Courts are decidedly adverse to Mr. Cushing's views. In all time past, the jurisdiction of this County of Jeffersen in criminal offenses committed at Harper's Ferry, has been uninterrupted and unchaltenged whether they were committed on the Government property or not. He cited an instance, twenty-nite years ago, where an atrocious murder was committed between the very shops is front of which these men fought their battles, and the criminal was tried here, convicted, and executed under our laws. There was a broad difference between the cession of jurisdiction by Virginis to the Federal Government should become a land-holder within its limits. The law of Virginis, by virtue of which the grounds at Harper's Ferry were purchased by the Federal Government. The law of Virginia, by virtue of which the grounds at Harper's Ferry were purchased by the Federal Government, ceded no jurisdiction. Brown was also guitty, on his own notoricus confession, in advising conspiracy. In regard to the charge of murder, the proof will be that this man was not only actually engaged in murdering our citizens, but that he was the chief director of the whole movement. No matter whether he was present on the spot or a mile off, he is equally guilty. In conclusion, Mr. Hunter said that he hoped the case would be considered with fairness and impartiality, and without fear, favor, or affection; and he only asked that the penalty might be visited on the prisoner which the

the penalty might be visited on the prisoner which the law denounces, which reason denounces, which our safety requires, and which the laws of God and man The afternoon session assembled at 31 c'elcek.

Dr. STARRY, on Sunday night, beard a shot fired at the Ferry; heard a cry looked out and saw two men passing from toward the Armory gate; a tall man came from the Armory gate, and two men from the cars halloced, "There he goes now!" the man stopped, raising his rifle; they followed him to the Armory gate, and exchanged shots with him; Conductor Phelps was one of those men; afterward found the black man. Heywood dying in the railroad office; he said he was commanded to stop by the men on the bridge, and refusing, they fired upon him; saw several men patrolling during the right, and go into the bridge; did not know what to make of it, and went to inquire of the Armory watchman what it meant; met a man who WITNESSES CALLED. parioning during the tags, and went to inquire of the Armery watchman what it meant; met a man who leveled his rifle at him; asked him where the watchman was, and was answered that he was not there, but that there were "a few of us here;" afterward, in the morning, saw a wagon with three armed men following it; then went to Mr. Kiltumeller and Mr. Ball, and told them that an armed body of men had possession of the Armery, and not to go near it; also pave information to the other persons employed in the Armery; saw also three of them at Hall's works; tide hot see more than thirty; recognized them by a peoular hat they were; rede to Charlestown to give the alaim and get assistance; returned about 11 o clock and assisted in bearing orders and in guiding the armed forces to the best place of attack; did not see or recognized the surface of the best place of attack; did not see or recognized Brown there at all.

Cross-examined by Mr. Green —As I rode past the Armery, armed men were at the gate; they did not a be

Armory, a med men were at the gate; they did not attempt to stop me; I was determined not to be stopped

15th, my train arrived at 1:25, bound east; saw no watchman at the bridge; thought it strange, as his business was to be there; was taking to the engineer, and was in the act of starting aboad, when the watchman came up to me, much excited, to state that he had been attacked in the bridge by men carrying rifles; Mr. Horsey was there with my light before starting the train; the baggage master and a passenger accompanied him, and when they entered the bridge some one said, "stand and deliver;" had previously told the engineer to follow him slowly, but immediately saw the muzzles of four rifles resting on a railing, and pointed at us; told the engineer to "bock;"—something was wrong on the bridge—which he did; as I got on the tresseling I heard the report of a gur, and Heywood, the colored man, came running to me, and said, "Captain, I am shot;" the ball had entered the back, and came out order the left nipple; carried him to the railroad office, and started for the doctor, and saw one man come out of the bridge, and go loward the armory gate; remarked, "there he goes now," and Throgmotton, clerk of the Wager House, fired at him; the shot was returned by two men at the Armory gate; I was close behind Throgmotton, who exchanged several shots with them; this was ten minutes after Heywood was shot; heard the men loading their rifles again; the reports were very loud, and I wondered why the people were not aroused; walked back to the railroad effice and one of the party on the bridge came out; he said, "you can come over the bridge with your reports were very loud, and I wandered why the people were not aronsed; walked back to the railroad effice and one of the party on the bridge came out; he said. "You can come over the bridge with your train: replied, "I would rather not, after these proceedings," and asked, "What do you want!" he replied, "we want liberty, and we intend to have it." I then asked, "What do you mean!" he replied, "you will find out in a day or two:" I then fet alarmed for the safety of myself and passengers, and concurded to await till daylight; men were passing back and forward from the bridge to the gate of the Armony; each appeared to be in blankets; the passengers were much excited, and wanted it know what it meant; went to the back of the train and saw from twenty to thirty men about the engine-house; at about 4 o'clock saw a wagon driven in the yard, and nearly a dozen men jumped out of it, as o a carriage, but did not see any one get out of it; eaw men go back and forward, who seemed to be putting something in the wagon; they were also going up and down the street leading from the Armory, and all seemed busy at something; this continued until nearly daylight, when the wagon left the yard and passed over the bridge to the Maryland side; about 3 o'clock, before the wagon left, an old gentleman came arm and said." The parties who have arrested me passed over the bridge to the Maryland side; about 3 o'clock, before the wagon left, an old gentleman came to me and said, "The parties who have arrested me all-wed me to come out on condition that I would tell you that you might cross the bridge with your train;" afterward learned that this was Mr. Koise, a chizen of the town; replied that "I would not cross the bridge until daylight, that I might see whether it was safe;" afterward saw a man coming dewn Shenandoah street with a lantern, and an armed man arrested him; afterward, are a short stout regre walking with a staff with one a lantern, and an armed man arrested him; afterward, saw a short, stout negro walking with a staff with one of these men; could not see what was in the wagon; afterward a black boy brought a note to the clerk of the Wager House, ordering breakfast for forty-seven men; determined to go cut and ascertain what it mean!; met a man whom he now recognized as Coppee, and asked what they meant; he replied, "We don't want to injure you or detain your train; you could have gone at 3 o'clock; all we want is to free the negrees;" then asked if his train could now start, and went to the guard at the gate, who said, "There is Capt. Smith—he can tell you what you want to know: went to the ergine-house, and the guard called Capt. Smith, that somebody wanted to see him; the prisoner at the bar came out, and I asked him if he was captain of these—; he replied he was; asked him if I could cross these — ; he replied he was; asked him if I could cross the bridge, and he peremptorily responded, "No, Sir; then asked him what he meant by stopping my train; the bridge, and he peremptorily responded, "No, Sir." then asked him what he meant by atopping my train; he reptied, "Are you the conductor on that train "told him I was, and he said, "Why, I sent you word at 3 o'clock that you could pass;" told him that, after being stopped by armed men on the bridge, I would not pass with my train; he replied, "My head for it, you will not be hurt;" said he was very sorry; it was not his intention that any blood should be spilled; that it was bad management on the part of the men in charge of the bridge; I then asked him what security I would have that my train would pass safely, and asked him if he would walk over the bridge ahead of my train with me; he called a large, stout man to accempany him, and one of my passengers, Mr. Mc-Byrne, asked to accempany me, but Brown ordered him to get into the train, or he would take them all prisoners in five minutes; Brown accompanied me; both had rifles; as we crossed the bridge, the three armed men were still in their places; when we got acroes, Brown said to me, "You doubtless wonder that a man of my age should be here with a band of armed men, but if you knew my past history you would not wonder at it so much; my train was then through the bridge, and I bid him good norrourg, jumped on my train, and left him, witness returned to Harper's Ferry on Tuesday, and went in morning, jumped on my train, and left him: witness returned to Harper's Ferry on Tuesday, and went in with Governor Wise and others to see Brown, who was a prisoner; heard his conversation with Wise a Huster; Mr. Wise said be "was sorry to see a man his age in that position: Brown replied that he asked no sympathy, and had no apologies to make; he knew exactly what he was about; the Governous hed him if he did not think he was doing wrong in asked him if he did not think he was doing wrong in running off with other people's property; Brown said, 'No, he didn't; 'he stated that he never had but twenty two men in his party, but expected large resultencements from Maryland, Virginia, North and South Carolina, and, I think, some of the New Ergland States and New-York. He said that arms were sent to them from Massachusetts; think he spoke of Sharp's rifles, revolvers, and spears; said he could arm from 1,500 to 2000 men; said he had Harper's Forry in his eye as the place for his operations; that he had rented a farm, four miles off, from Dr. Kennedy, and had paid the rent up to march, and that all his arms were sent to him there from Chambersburg, Pa.; said those who brought the arms there did not know what they were, as he had taken the precontion to place them in double boxes; they were addressed to J. Smith & Sons. Brown told Gov. Wise that he had books in his tunk that would explain to him his whole proceedings and what the purpose of his business was; Col. Lee said he had one, and handed it to Gov. Wise; Brown seked him to read two of its first pre-smbles and four of the last sections, which he did, and Brown said that was a correct copy; in reply to a question of Gov. Wise, he said he was commander in chief of the forces under the Provisional Government, and that he than wise, he said he was commander in the or the other under the Provisional Government, and that he then held that position; he said the constitution was adopted in a piace called Chatham, in Canada; Brown said there was a Secretary of War, Secretary of State, Judge of the Supreme Court, and all the officers for a General Government; he said there was a house of Representatives, and that there was an intelligent colored man elected as one of the members of the House [sensation]; Gov. Wise asked Brown if he had taken the cath of allegiance provided for in the 48th article; he replied he had; asked if all the white men of his band had taken the cath; he replied that they had he said that there were appointed and commissioned officers; that Stevens, Lesman, and one of Brown's sons were captains, and Coppie was a lieutenant; he said something about a battle in Kanasa, and having one of his sons shot; I think he said Cook held a captain's commission; Gov. Wise asked Brown if he thought he had been betrayed, but had practiced the ruse to prevent suspicion; the Governos asked his most that ruse was, but he refused to and the said was the first that ruse was, but he refused to and the said was the first that ruse was, but he refused to and the said was the first that ruse was, but he refused to and ticed the ruse to prevent suspicion; the Governor seked him what that ruse was, but he refused to an

swer; said he knew exactly the position he had placed himself in, and if his life were forfeited he was pre-pared to suffer. Mr. Greek, counsel for the prisoner, interrupted the Mr. GREES, counsel for the prisoner, interrapted the witness, and said to the Court that he had just received a dispatch from Cleveland, announcing that counsel was coming, and would almost certainly be here to-night. As this was a very important witness, and as it was late in the evening, he would ask the Court to adjourn until mirning, in order that counsel might have an opporturity to cross-question the witness. He did not intend to conduct the case longer than the arrival of counsel as acced by the prisoner. than the arrival of counsel se exted by the prisoner As only scraps of a conversation of two hours with Gov. Wise had been picked out and given to the Jury he desired that the witness should be questioned as to the other parts of the conversation.

Mr. HUNTER replied that there were several other

sitnesses to be called of the same character, to wh such questions could be put by new counsel to morrow.

If the cases were not pushed on the whole balance of
the term would not be sufficient to try these men. He ought there was no reason for delay, especially as in as uncertain whether the counsel could get here be

ore to morrow.

The Court decided that the witness should proceed. The Court decided that the witness should proceed Cross-Examination, by Mr. GREEN—In conversa-tion, Brown said it was not his intention to harm any-body or anything; was sorry men had been killed; it was not by his orders or with his approbation, and was not by his orders or with his approbation, and would not occur sgain, provided the people were peaceable and quest: when Brown spoke of taking them all prisoners if they did not get into the care, he appeared to want the train to go on as soon as possible; it was advice more than in the form of a threating the standard of recognize Brown till I taked with him in the Armory yard; don't think Brown was with the party on the bridge in the wagon, for if he had been I think I would have recognized him from his peculiar beard. By Mr. HUSTER: When Brown was parleying with neat the bridge, the three armed mon remained on the bridge; saw what seemed to be a man dressed in

e saw what seemed to be a man dressed in m's clothing pass, followed by a boy with a box

Col. LEWIS W. WASHINGTON, sworn-[He detailed instances as already published in The

Cream-examined by Mr. Green —As I rode past the farmery, simed men were at the gate; they did not attempt to stop me; I was determined not to be tempt to stop me; I was determined not to be Conductor PHELFS, sworn—On Sanday night, the losse was great, and reveral should from the inside that some one had surrendered the prisoners;

we were kept in the rear engine-house and allowed to keep a safe position, so that there was no effort to se-danger us; Brown's conduct was not rude or insulting toward us.

by Mr. Hunter—Was present at the conversation with Gov. Wise on Tu-sday; Gov. Wise asked Brown if he had not selected Harper's Ferry as a border place between Maryland and Virginia for the establishment of his Provisional Government, and he answered, "Certainly:" he avowed that his object was to free the Southern slaves, and said that his party consisted of tweety-two men, insteen of whom came over with him; he said he had 200 Sharp's rifles, 200 revo vers, and witness does not remember how many spears; Brown said he had enough to arm about 1,500 men; the Governor asked if he expected that number; he said no doubt that rumber and five thousand if he masted them; he detailed the conversation respecting the Provisional Government substantially as the last witness.

By Mr. Borrs-At the time of the attack on the engine-house, the prisoners remained in the rear at the suggestion of Brown and his party; heard Brown direct his party not to fire on any marmed man; he ave that order more than once.

By Mr. HUNTER—Cook said Brown had been s'udy-

ing this subject twenty or thirty years. Had recon-tostered Harper's Ferry repeatedly.

By Mr. Botts-The prisoners were allowed to go out, and assure their families of their safety; some west out several times; told his men not to return from his dwelling-house; there were numerous shots toward the task where Beckham was killed; Brown assured wit-ness that he should be treated well, and his property hould not be destroyed.

By Mr. HUNTER-While a prisoner in the engine

house, overheard a conversation between Stevens and another party, not known to witness, about slave-holding. Stevens asked the man if he was in favor of Slavery? He said "Yes," although not a slave-holder. Stevens said, "You are the first man I would Mr. HARDING-One of the three pegroes taken

By Mr. Harding—One of the three negroes taken with the witteeses was kept in the Armery yard; another escaped, and went home; saw no conversation is particular between the party and the negroes who were taken there; all the negroes were armed with spears while in the Armery yard; they walked about the Armery grounds, and one came and warmed himself; no negro from this neighborhood appeared to take up arms voluntarily; saw no wounded men dragged in the engine house. up arms voluntarily; into the engine house. At 7 o'clock the Court adjourned till morning.

Orders have been given to the jailors to shoot all the prisoners if an attempt is made for their rescue.

Capt. Cook of Harper's Ferry. BALTIMORE, Thursday, Oct. 27, 1859.

A dispatch received from Frederick City states that

Capt. Cook passed through Hagarstown this evening in charge of a strong guard, on his way to Charlestown, where he will arrive during the night. At He garstown the prisoner was exhibited from the verandah of the hotel to a numerous crowd.

A company of Frederick City military are still at Harper's Ferry to check any attempt to resone the prisoners.

## Rifles Found-Cook taken to Virginta.

CHAMBERSBURG, Pa., Thursday, Oct. 27, 1859. Three Sharpe's rifles and a small lot of ammunition were found in the woods this morning by some boys. One rifle has " C. P. Tidd " on the mounting. They were, no doubt, placed under the bushes by left on the mountain. Washington's pistol has not been recovered, and nothing has been seen of the men.

Capt. Cook was taken to Virginia to-day by officers from that State and the party who arrested him.

A CARD-" COL. FORBES.

A certain Mr. H. Forbes-sometimes (I know not why) called " Col. Forbes"-fills a close page of The Herald with what are there characterized as " Most 'Important Revelations' respecting Old Brown and the complicity of leading Republicans in his recent operations. Into this labored and successful attempt at self-exposure by "Col. Forbes," I find my name most wantonly dragged. My only reason for noticing the performance is a belief that the public may infer from the facts in my case what is the probable truth with respect to others whose names have been dragged into these "Most Important Revelations."

This Forbes appeared in our City sometime after the explosion of the European Revolutionary Uprising of 1848, and claimed to have borns an importan part in that movement. Of course, he was needy and The Herald says he was " at one time a reporter "or translator on THE TRIBUNE." This is quite

probable, though I do not recollect it. Some time late in 1856, (I think it was) I was ap prised that he was going out to Kansas to help the Free-State men, then threatened with annihilation by the Border Ruffians of Missouri, backed by Federal functionaries and troops. Lawrence had then been twice beleaguered and once eacked; Osawatamie had been twice ravaged and burned; Leavenworth had been just before swept clean of Free-State men by a Missouri raid-William Phillips being butchered while defending his own house, his brother badly wounded and captured, while those who made no resistance Forbes professed to be a capable and experienced military officer, especially qualified for guerilla or border warfare, and as he had always claimed to be an earnest Red Republican and foe of every form of Human Slavery, I thought his resolution natura and commendable. Knowing him to be poor, I gave him \$20 as he was starting; others gave him larger sums; how much in all, I do not know; but I think his total receipts from friends of Free-Kansas on account of his resolve cannot have fallen below \$700. He went-was absent some mouths-came back-that is all I know of his services to the Free-State cause it any shape. Whether because he was not needed, or was not trusted, or was found incompetent, I do to know-I only know that he did nothing, and was practically worth nothing. I believe he spent part of the money given him in printing a pamphlet embodying his notions of guerilla or partisan warfare—of course, no dollar ever came back. I think I heard of him before his return, clamoring for more money.

In due time, he reappeared in New-York, and came to me (as to others) with complaints that he had been deceived, misled, swindled, beggared, his family (in Paris) turned into the streets to starve, &c., &c. I tried to ascertain who had deceived him, what promise made to him had been broken, &c., but with little success. All I could make out was that some one-he now says it was Old Brown-had promised him some thing in the way of pecuniary recompense for his ser vices, which had not been made good, and that he family were consequently reduced to the brink of

To this hour, I have never learned what Brown , (or any one else) promised Forbes, nor how far the f .rom iser professed to have the right to commit othe rr. co not believe that John Brown ever willfully deceived him or any one else. I am very sure that no one was ever authorized to engage the as rvices of 'Col. Forbes" in behalf of the Free-Sts te men o Kaness on condition that said Forbes shor ald be autherized to charge his own price for the see services and draw at pleasure on some responsibile party for payment. I have never heard any only version of the matter but Forbes's; and I confidently infer from this that, if there was mutual misty derstanding and disappointment in the premises, the employing party had decidedly the worst of it.

Forbes says that I—in response to his complaints and representations—"argued 'that I [he] had no "legal claim, according to the "lower law." It really seems to me that there was ne , room im argument o that point. He further say a that I told him be "ought to have known the it engagements of this "sort never are kept-nev er are meant to be kept."

As I have not to this bour open able to ascertain what "ergagement," if any, 'was made with him, nor by whom, this cannot be is a full and fair purport of my remark. I did urge I' not, if he had a contract with any one, whereby orb ers were held bound to pay him money, whether in ? efinite or indefinite amounts, he ought to be able by show some other evidence of that fact than his own unsupported assertion. Had Brown been any how i adebted to Forbes for services to the Free State Car se, I cannot doubt that he (B.) would | signed.

have cettled with him, and at least acknowledge the obligation in writing. Had Brown that others should pay him money, he (B.) we least have settled the account, and given him (F.) order on the person who was to pay it. But Porbet showed no contract, no acknowledgment of indebter ness, no evidence that any one but himself conthe friends of Free Kansas indebted to him to the amount of one farthing. The whole matter showed or its face that whoever employed Forbes felt that P-bad got quite enough out of the Free-State mea. LL then, I answered him that he " had no legal claim," and that " ergagements of that sort are never kept -that is, such " engagements" as he appeared to resi his claim upon-was I not right ?

Since that conference—more than two years since—I do not recollect that I have till now been favored with an overplus of "Col. Forbee's" attentions. E thank him for their absence, and trust it may continue The Fifth-Avenue Hotel Committee, in their leag Manifesto, roundly assert that

Letters written to a Mr. Forbes, of this city, prove that Republicus Senature of the United States were made cognitions of the managion intended, but concealed the secret within their even breats, and refrained from divaiging it to the public authorities."

Of course, there are no such letters-that I stated vesterday-but, since Forbes's rocket is explothere is not even a pretense of any. Forbes says that, ust eighteen months ago, he carried his budget o complaints to Senators Seward and Hale, from whom he got nothing, as was to have been expected. He evidently would like to make out that Old Brown (then, and for ten months afterward, in Kansas) had some such scheme in his mind as that which recently col apeed at Harper's Ferry, and that he betrayed this o Gov. Seward; but he does not say it. He admite that he said nothing to Mr. Hale beyond unfolding his budget of complaint as to pay for his services Kansas, or Old Brown's contract therefor.

What do the Fifth-Avenue Hotel Committee prepose to do in the premises? They have made a bread and weighty accusation against "Republican Son-stors," and effirmed that "Letters written to a Mr. Forbes" "prove" that charge. There is not even a shadow of evidence to sustain this allegation. Will they, then, retract it? If not, what becomes of their pretence that they have organized to purify and ele-

vate our current politics? -I close with a single word of advice to the Pink-Avenue Hotel Committee and the Pro-Slavery party generally, viz .: In your dealings with Col. Forbes be sure you have a plain contract, put down in clear black and white. Even thus, you will probably find that he costs more than he comes to; in any other

case, you certainly will. HORACE GREELEY ectfully.

HUGH FORBES.

To the Editor of The N. Y. Tribune.

Sin: I notice that Hugh Forbes, in a note to The Times, and Herald, accuses you of having published false and malignant attack on him. To vis character be promises, " after the trial of old Brown," to publish his correspondence with the hero of Her-per's Ferry and his friends.

I presume he refers to the article of mine which you republished from The Atlas and Daily Bee of this city. If the charge I preferred against him be false, I shall be very glad to know it. That it was malignant, is not true. I have no acquaintance with Col Forbes; I know him only from his Manuals, which

have carefully studied. I advise him to be discreet in his publications, for it is possible that I, also, may have something more to Baston, Oct. 28, 1259. JAMES REDPATE.

NEW-JERSEY ITEMS.

ARMY AND NAVY INTELLIGENCE.

The proceedings of the Army General Court Martial, rbich convened at Plattaville for the trial of delinquent officers and men, have been for some days under the consideration of Secretary Floyd, who has probably by

this time confirmed or vetoed them.

Capt. Jordan of the 8th Infantry was, acc recent accounts from the Department of Texas, equip-ping his command (Company D, 8th Infantry) prepara-tory to his departure for Pendencia, on the Corpus Christi road, whither he had been ordered by the Goneral Commanding.

Company K 1st Artillery, arrived at Fort Clark, Texas, Sept. 26, from Baltimore. Company K lst Cavairy is to leave Fort Riley immediately for Pawnee Fork, Kansas.

Fort Brown, Texas, is to be immediately occupied by two Artillery Companies from Fort Clark. The United States steamer Wyandotte, from which Lieut. Duval was detached, will leave this port for

the Gulf of Merico in a few days.

We learn from Portsmouth, N. H., that the sem ateam gun-boat Mohican, which has been ordered to is 994 tups burden, 233 feet long, 33 feet wide, 16 feet deep, and will carry two 11-inch pivot guna and four 32-pounders, besides a boat howitzer. Ha machinery consists of one direct-acting engine, with cylinders 54 inches in diameter, and 30 inches stroke She has two of Martin's patent boilers that can hold 158,000 gallons of water. The Mohican's propeller is of composition, 9 feet 6 inches in diameter, ac4 19

feet pitch, and will make 80 revolutions per minu's. The old line-of-battle ship Franklin, which is being converted into a steam vessel for a number of years, is still on the stocks at Portsmouth, as is the liner Alabama which was begun half a century ago. The frigate Juntes, and the Constitution, "old Iron Sides," he Corvette Cumberland, and the sloop Dais, are the other vessels at the Navy Yard.

SENATORIAL REPUBLICAN CONVENTION-IVER DU-TRICT.—The Delegates to the Senatorial Convention for the Fourth District met at the Museum Hotel last evening. Dr. Snedgrass, after receiving a majority vote on an informal ballot, declined becoming a ca date. The name of Dr. Samuel Hall was withdraws from the Convention by the delegate who introduced him at the previous meeting. A committee of five, og sisting of one from each Ward, was appointed to elect a candidate for nomination, and were instructed to report to the Convention on Saturday evening aarts till which time the Convention adjourned.

FIFTH DISTRICT DEMOCRATIC ASSEMBLY CORPER-TION.—The Tammany Convention of this District met Barrow streets, and nominated Wm. L. Colecus a candidate for Assembly.

MERCANTILE LIBRARY ASSOCIATION .- The first of a course of lectures before the Mercantile Library Association was given last evening in Clinton Hall, by the Rev. T. Starr King. The hall was three quarters filled, and the lecturer was loudly applauded. The subject of the lecture was "Personal Power and its Voices." Mesers. Arthur Gilman, John R. Thompson, E. P. Whipple, Wm. H. Fry, and others, will ap pear in the course.

HEAVY ROBBERY .- Yesterday afternoon a case com taining watch movements valued at \$500, the property
of the American Watch Company, was stolen from in front of the Cempany's place of business in Broadway, near Contlandt street. The thief, by means of a knife or screw-driver, took out the screws from the brackets, and carried off the case and contents unobserved. Nothing was known of the robbery until evening, when the cierks went to take in the case.

The Boston Traveller says that the steam frigate Minnesota, now at the Charlestown Navy Yard, al though she has made but one cruise, and is little mor:e than five years old, is so rotten that her repairs will coet \$60,000. All her outside planking, from the we deer line to the plank sheer, is decayed. It is also b' atal that the Niagara is unsound.

-President Miller has appointed Dr. 8trophen G. Hubbard, of New-Haven, Junior Secret my of the American Medical Association, vice Dr. F.ly Joes, re-